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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 8841 of 2018**

1. Guddu Lahri Sahu @ Rajesh Sahu S/o Shri Laxman Sahu Aged About 38 Years R/o Chingrajpara, Sarkanda, Police Station- Sarkanda, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh
2. Ajay Kumar @ Rahul Anchal S/o Shri Ganesh Anchal Aged About 38 Years R/o Village- Doma, Police Station- Malkharouda, District- Janjgir- Champa, Chhattisgarh. Present Address- Naya Bazar Rourkela, District- Sundargarh, Orissa., District : Sundargarh, Orissa

---- Applicants**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station- Masturi, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri R.R. Soni, Advocate.
For the Respondent/State	:	Shri Vijay Bahadur Singh, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****26.11.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.515 of 2017, registered at Police Station – Masturi, Civil & Revenue District – Bilaspur, Chhattisgarh for the offence punishable under Sections 147, 148, 120-B, 395/ 149, 397/ 149 and 307/ 149 (in two counts) of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants are in jail since 28.12.2017 and have been falsely implicated in this case. No case

is made out against the applicants on the basis of the material placed before the Court by the prosecution. No TIP was conducted for applicant No.1 – Guddu Lahri Sahu @ Rajesh Sahu, hence, the involvement in the crime in question is not supported by any evidence. Similarly placed co-accused – Firoz Khan has been granted regular bail by this Court in M.Cr.C. No. 6366 of 2018 vide dated 10.10.2018. Hence, it is prayed that the applicants be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is allegation of commission of offence of crime against the applicants. Hence, no case is made out for grant of regular bail to the applicants.

4. Heard counsel for both the parties and perused the case diary.

5. It is alleged that on 23.12.2017, these applicants alongwith co-accused persons armed with deadly weapons, by injuring the persons concerned looted the country liquor shop at Gatora. Hence, this case.

6. After considering the entire material present in the case-diary and looking to the nature of the case against the applicants, I do not feel inclined to grant regular bail to the applicants.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is rejected.

8. The concerned trial Court is directed to conclude the trial and dispose of the case at the earliest, preferably within a period of six months from the date of receipt of the copy of this order.

Sd/-

(Rajendra Chandra Singh Samant)

Judge

Nimmi